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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,194	08/11/2001	Kurt E. Petersen	356952000304	8004
7	590 09/09/2002			
Stephen C. Durant			EXAMINER	
Morrison & Fo 425 Market Str	eet		KANG, DONGHEE	
San Francisco, CA 94105-2482			ART UNIT	PAPER NUMBER
			2811	7-
			DATE MAILED: 09/09/2002	\mathcal{T}_{i}

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)				
Office Action Summary	09/928,194	PETERSEN ET AL.				
Onice Action Summary	Examiner	Art Unit				
The MAIL INC DATE of this communication and	Donghee Kang	2811				
The MAILING DATE of this communication app Period for Reply		·				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period we Failure to reply within the set or extended period for reply will, by statute, - Any reply received by the Office later than three months, after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status	i6(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	ely filed s will be considered timely. the mailing date of this communication. O (35 U.S.C. § 133).				
1) Responsive to communication(s) filed on						
2a) ☐ This action is FINAL . 2b) ☑ Thi	s action is non-final.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims						
4)⊠ Claim(s) <u>55-77</u> is/are pending in the application	า					
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>55-77</u> is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction and/or election requirement.						
Application Papers						
9) The specification is objected to by the Examiner.						
10)⊠ The drawing(s) filed on <u>8/11/₁</u> is/are: a)□ accept	ted or b)🛛 objected to by the Exan	niner.				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
11)☐ The proposed drawing correction filed on		ved by the Examiner.				
If approved, corrected drawings are required in reply to this Office action.						
12) The oath or declaration is objected to by the Examiner.						
Priority under 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)	-(d) or (f).				
a) ☐ All b) ☐ Some * c) ☐ None of:						
1. Certified copies of the priority documents	have been received.	' 				
2. Certified copies of the priority documents	have been received in Application	n No				
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
14) Acknowledgment is made of a claim for domestic	•					
a) ☐ The translation of the foreign language provisional application has been received. 15)☑ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.						
Attachment(s)						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 a	5) Notice of Informal Page	(PTO-413) Paper No(s) atent Application (PTO-152)				
S. Patent and Trademark Office						



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DETAILED ACTION

Information Disclosure Statement

Acknowledgment is made of receipt of applicant's Information Disclosure
 Statement (PTO-1449) filed September 20, 2001 & February 7, 2002.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show a carrier includes a recessed region as described in the specification. There is no recess in the carrier. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

- 3. The following is a quotation of the first paragraph of 35 U.S.C. 112:
 - The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
- 4. Claims **55-77** are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim **55** recites the limitation "said structure is recessed relative to the carrier" in line 8. The specification does not disclose the structure is recessed relative to the



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carrier. The written specification only discloses a carrier includes a recessed region.

See page 7, lines 7-8 in specification.

Claims **70 & 74** recite the limitation "a first single crystal silicon wafer layer including a recessed region" in line 1, respectfully. The specification does not support a first single crystal silicon wafer layer including a recessed region. The specification only discloses a carrier includes a recessed region.

Double Patenting

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

- 6. Claims **55-69** are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims **1-15** of U.S. Patent No. 6,316,796. Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant claims obviously encompass the above mentioned patent and differ only in terminology.
- 7. Claims **70-73** are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims **39-42** of U.S. Patent No.



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6,316,796. Although the conflicting claims are not identical, they are not patentably distinct from each other because the phrase "fusion bonding" would very meet the recited term "securing" and precisely the same structure and perform the same function as applicant's claimed "securing".

8. Claims **74-77** are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims **39-42** of U.S. Patent **N**o. 6,316,796. Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant claims obviously encompass the above mentioned patent and differ only in terminology.

Thus, in respect to above discussion, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to use the teachings of claims **1-15 & 39-42** of U.S. Patent No. 6,316,796 as a general teachings for a single crystal silicon sensor to form the same structure as claimed by present application.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donghee Kang whose telephone number is 703-305-9147. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on 703-308-2772. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Donghee Kang, Ph.D. September 5, 2002

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